simple imprisonment which may extend to one month or with fine which may extend to one thousand rupees or with both.

5. *Penalty for dowry after solemnisation of marriage.*—A person who at any time within three years after the solemnisation of a marriage to which this Act applies demands either directly or indirectly from the parents or any other person who was the guardian of the woman before her marriage any payment which is in the nature of a dowry, shall be deemed to have committed an offence under section 3 of this Act and shall be punishable accordingly.

6. *Cognizance of offence.*—No court shall take cognizance of any offence punishable under this Act except on complaint made in this behalf, provided that every such complaint shall be accompanied by a deposit of fifty rupees as security against false, vexatious or frivolous proceedings.

STATEMENT OF OBJECTS AND REASONS

The object of the Bill is to punish the taking or giving of dowries. The practice of accepting money from the parents or guardians of the bride or the bridegroom by either party has done tremendous harm to the society. Parents sometimes incur heavy debts in paying this dowry. This Bill is, therefore, designed to do away with the evil practice of dowry.

JAYASHRI RAIJI.

BILL NO. 28 OF 1951

A Bill further to amend the Essential Supplies (Temporary Powers) Act, 1946.

BE it enacted by Parliament as follows:—

1. *Short title and commencement.*—(1) This Act may be called the Essential Supplies (Temporary Powers) Amendment Act, 19

(2) It shall come into force at once.

2. *Amendment of section 7, Act XXIV of 1946.*—In sub-section (1) of section 7 of the Essential Supplies (Temporary Powers) Act, 1946 (hereinafter referred to as the said Act) the following shall be added at the end, namely:—

"unless for reasons to be recorded the court is of opinion that it is not necessary to direct forfeiture in respect of the whole, or as the case may be any part of the property"

3. *Substitution of new section for section 9, Act XXIV of 1946.*—For section 9 of the said Act, the following section shall be substituted namely:—

"9. *Relating to Corporations.*—(1) It shall be the duty of every company and other body corporate to nominate any of its directors, managers or other officers of the company or other body corporate to be responsible for the due compliance of the orders made under section 3.

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(2) In case the company fails to make nomination as required by sub-section (1) all the directors of the company shall be deemed to be responsible for the due compliance of the orders made under section 3.

(3) If the person contravening the orders made under section 3 is a company or other body corporate any person nominated under sub-section (1) shall be deemed to be guilty of such contravention unless he proves that the contravention took place without his knowledge or that he exercised due diligence to prevent such contravention."

STATEMENT OF OBJECTS AND REASONS

The provisions of law contained in section 7 of the Essential Supplies (Temporary Powers) Act, 1946 are unnecessarily restrictive of the discretion of the courts when the contravention of order under section 3 of the Act in respect of cotton textiles takes place. It may happen as it does that the person contravening the order is not the owner of goods and in such a contingency an innocent owner is unnecessarily injured by an order for forfeiture. This is not desirable and is opposed to fundamental rights of property. The ends of justice will be duly secured if the provisions relating to forfeiture of textile goods are governed by the provisions of law contained in section 7 of the Act in regard to foodstuffs.

The provisions of section 9 relating to the liability of directors, managers or secretaries or other officer or agent in regard to offences by corporations are extremely wide. There are cases in which absent directors even when business of the company is run and controlled by managing agents and practically the directors have no voice in the administration, have been challaned by police resulting in great harassment to innocent persons. It is unintelligible why the manager or secretary whose duty does not require them or place them in a position to control and prevent contravention of orders made under section 3 of the Act should normally come within the mischief of the rule enunciated in section 9 of the Act. It is more desirable that in every company a responsible officer of the company or director be nominated for complying such orders and made responsible for contravention if any and unless he proves want of knowledge or exercise due diligence he may be deemed to be guilty. The change of law, therefore, is necessary in the interest of justice and enforcement of compliance of orders made under the Act.

THAKUR DAS BHARGAVA.

BILL NO. 29 OF 1951

A Bill to restrain the custom of taking or offering of dowry in marriages.

BE it enacted by Parliament as follows:—

1. *Short title, extent and commencement.*—(1) This Act may be called the Dowry Restraint Act, 19 .

(2) It extends to the whole of India except the State of Jammu and Kashmir.